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GROUP M**

In re Application of :
Evan George Colgan et al. : *WITHDRAWAL FROM ISSUE*
Application No. 08/999,663 : *UNDER 37 C.F.R. §1.313*
Filed: December 18, 1997 :
Attorney Docket No. 684.2765 :
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This is decision on the request to suspend issuance of a patent and payment of the issue fee filed August 21, 2001. The request is being treated as a petition to withdraw the application from issue before payment of the issue fee for the purpose of declaring an interference.

The petition is denied as to withdrawing the application from issue for declaring an interference. However, the application is being withdrawn from issue under 37 C.F.R. § 1.313 due to unpatentability of at least one claim.

Patent and Trademark Office records reveal that the issue fee has not been paid. If the issue fee has been submitted, the applicant may request a refund, or may request that the fee be credited to a deposit account. However, applicant may wait until the application is either again found allowable or held abandoned. If the application is allowed, upon receipt of a new Notice of Allowance and Issue Fee Due, applicant may request that the previously submitted issue fee be applied toward payment of the issue fee in the amount identified on the new Notice of Allowance and Issue Fee Due. If the application is abandoned, applicant may request either a refund or a credit to a Deposit Account.

The application is being forwarded to the examiner for taking appropriate action including notifying applicant of the new status of this application.

Janice A. Falcone

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